



Comptroller General  
of the United States  
Washington, D.C. 20548

## Decision

**Matter Of:** NT Monarch Hardware

**File No.:** B-259227

**Date:** November 30, 1994

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### DECISION

NT Monarch Hardware protests as unduly restrictive the specifications of solicitation No. GS-10P-94-LTC-0041 issued by the General Services Administration (GSA) for the construction of a courthouse in Portland, Oregon.

We dismiss this protest.

Under the bid protest provisions of the Competition in Contracting Act of 1984, 31 U.S.C. §§ 3551-3556 (1988), only an "interested party" may protest a federal procurement. That is, a protester must be an actual or prospective bidder or offeror whose direct economic interest would be affected by the award of a contract or the failure to award a contract. 4 C.F.R. § 21.0(a). Determining whether a party is interested involves consideration of a variety of factors, including the nature of issues raised, the benefit of relief sought by the protester, and the party's status in relation to the procurement. Black Hills Refuse Serv., 67 Comp. Gen. 261 (1988), 88-1 CPD ¶ 161. A protester is not an interested party where it would not be in line for contract award were its protest to be sustained. ECS Composites, Inc., B-235849.2, Jan. 3, 1990, 90-1 CPD ¶ 7. Under these rules, a prospective subcontractor does not have the requisite interest to be an interested party because it is not a prospective or actual bidder or offeror. Nasatka Barrier, Inc., B-234371; B-234578, Mar. 31, 1989, 89-1 CPD ¶ 349.

Here, it appears that NT Monarch is a prospective supplier of door hardware rather than an offeror for the prime contract under the protested solicitation. Accordingly, NT Monarch does not satisfy the statutory interested party requirement and its protest must be dismissed.

A handwritten signature in cursive script that reads "Ronald Berger".  
Ronald Berger  
Associate General Counsel